

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**  
(Includes Reference to PCT International Applications)

ATTORNEY'S DOCKET NUMBER

SHIM-004

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

MEGSIN PROTEIN

the specification of which (check only one item below):

☐ is attached hereto.

☐ was filed as United States application

Serial No. \_\_\_\_\_

on \_\_\_\_\_

and was amended

on \_\_\_\_\_ (if applicable).

☒ was filed as PCT international application

Number PCT/JP98/04269

on September 22, 1998

and was amended under PCT Article 19

on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:**

COUNTRY (if PCT, indicate "PCT")	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119
Japan	9/275302	22 September 1997	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
PCT	PCT/JP98/04269	22 September 1998	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

**Combined Declaration For Patent Application and Power of Attorney (Continued)**  
(Includes Reference to PCT International Applications)

ATTORNEY'S DOCKET NUMBER  
SHIM-004

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. 120:**

**U.S. APPLICATIONS**

STATUS (Check one)

U.S. APPLICATION NUMBER

U.S. FILING DATE

PATENTED

PENDING

ABANDONED

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

Karl Bozicevic, Reg. No. 28,807  
Bret E. Field, Reg. No. 37,620  
Dianna L. DeVore, Reg. No. 42,484  
Alan W. Cannon, Reg. No. 34,977

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Pamela J. Sherwood, Reg. No. 36,677  
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Telephone: (650) 327-3400

FULL NAME OF INVENTOR	FAMILY NAME <u>Miyata</u>	FIRST GIVEN NAME <u>Toshio</u>	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY <u>Kanagawa</u>	STATE OR FOREIGN COUNTRY <u>Japan</u>	COUNTRY OF CITIZENSHIP <u>Japan</u>
POST OFFICE ADDRESS	POST OFFICE ADDRESS <u>4-2-3-101, Higashinaruse, Isehara-shi</u>	CITY <u>Kanagawa</u>	STATE & ZIP CODE/COUNTRY <u>Japan 259-1117</u>

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201

DATE

Toshio Miyata  
June 1 2000

**STATEMENT BY A  
NON-INVENTOR SUPPORTING  
A CLAIM BY ANOTHER FOR  
SMALL ENTITY STATUS**

Attorney Docket	SHIM-004
First Named Inventor	Toshio Miyata
Application Number	09/508,997
Intl. Filing Date	September 22, 1998
Title	Megsin Protein

I hereby state that I am making this statement to support a claim by the co-assignees Toshio Miyata and Kiyoshi Kurokawa for small entity status for purposes of paying reduced fees to the United States Patent and Trademark Office, regarding the invention described in:

- ☐ the specification filed herewith with title as listed above.  
☒ the application identified above.  
☐ the patent identified above.

I hereby state that I would qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying fees to the United States Patent and Trademark Office, if I had made the above-identified invention.

I have not assigned, granted, conveyed, or licensed, and am under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern, or organization exists.  
☒ each such person, concern, or organization is listed below.

NAME: Toshio Miyata

ADDRESS: 4-2-3-101, Higashinaruse, Isehara-shi, Kanagawa 259-1117 Japan

☒ Individual

☐ Small Business Concern

☐ Nonprofit Organization

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

SIGNATURE Kiyoshi Kurokawa

DATE: June 2, 2000

NAME OF PERSON SIGNING: Kiyoshi Kurokawa

ADDRESS OF PERSON SIGNING: Ichigayahills 401, 49, Ichigaya Yanagi-cho, Shinjuku-ku, Tokyo 162-0061 Japan

**STATEMENT CLAIMING  
SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27 (b))  
INDEPENDENT INVENTOR**

Attorney Docket	SHIM-004
First Named Inventor	Toshio Miyata
Application Number	09/508,997
Intl. Filing Date	September 22, 1998
Title	Megsin Protein

As a below named inventor, I hereby state that I qualify as an independent inventor as defined in 37 CFR 1.9 (c) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

- ☐ the specification filed herewith with title as listed above.  
☒ the application identified above.  
☐ the patent identified above.

I have not assigned, granted, conveyed, or licensed, and am under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern, or organization exists.  
☒ each such person, concern, or organization is listed below.

NAME: Kiyoshi Kurokawa

ADDRESS: Ichigayahills 401, 49, Ichigaya Yanagi-cho, Shinjuku-ku, Tokyo 162-0061 Japan

☒ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

Toshio Miyata

NAME OF INVENTOR

Toshio Miyata  
Signature of Inventor

June 1 2000  
Date